

CERTIFIED FOR PARTIAL PUBLICATION

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

GERMAN EDWARD SANCHEZ,

Defendant and Appellant.

E046099

(Super.Ct.No. RIF123815)

ORDER MODIFYING OPINION

[NO CHANGE IN JUDGMENT]

THE COURT

The opinion filed in this matter on November 23, 2009 is modified as follows:

1. The two paragraphs starting on page 22 with the words, “While this appeal was pending,” and ending on page 23 with the words, “based on nontestimonial hearsay,” are deleted.

2. Part IX.C, beginning on page 44 and ending on page 46, is deleted.

3. Part IX.D, beginning on page 46, is renumbered as part IX.C.

4. The beginning of the last paragraph on page 49, which reads, “In our view, the crucial point is that, here, as in *Herrerra*, *Vu*, and *Tran* . . .” is changed to “In our view, the crucial point is that, here, as in *Herrerra* and *Vu* . . .”

5. Footnote 11 is renumbered as footnote 10.

Other than this modification, the opinion remains unchanged. This modification does not effect a change in the judgment.

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RICHLI
J.

We concur:

HOLLENHORST
Acting P.J.

McKINSTER
J.